SAN FRANCISCO. PARTICULAR ATTENTION GIVEN TO filling Hawaiian orders, and satisfaction guaranteed.

(fc7 ly\*) JOHN HARVEY & CO.,

COMMSSSION MERCHANTS and WOOL BROKERS, Hamilton. Canada. Reference-Bank of Montreal. Cash advances on Consignment

A. P. EVERETT. Forwarding & Commission Merchant 405 FRONT STREET, CORNER CLAY SAN FRANCISCO. Particular attention paid to Consignments of Island Produce

WILLIAMS, DIMOND & CO., Shipping & Commission Merchants,

No. 218 California Street. SAN FRANCISCO.

W. H. CROSSMAN & BRO., Shipping and Commission MERCHANTS. 118 Chambers Street, NEW YORK. Reference—Castle & Cooke and J. T. Waterbouse, ap26 80



CORNER OF

Beale and Howard Streets, SAN FRANCISCO, CALIFORNIA

W. H. TAYLOR, - - President, JOS. MOORE, - - Superintendent,

BUILDERS OF

STEAM MACHINERY, IN ALL ITS BRANCHES.

Steamboat,

#### Steamship, Land ENGINES AND BOILERS, Most Complete Asst. of Perfumery

High Pressure or Compound.

STEAM VESSELS of all kinds, built complete with ORDINARY ENGINES compounded when advisable. STEAM LAUNCHES, Barges and Steam Tugs con-structed with reference to the Trade in which they are to be employed. Speed, tonnage and draft of water guaran-

SUGAR MILLS AND SUGAR MAKING MACHINERY made after the most approved plans WATER PIPE, of Boiler or Sheet Iron, of any size

made in suitable lengths for connecting together, or Sheets Rolled, Punched, and Packed for Shipment, ready to be HYDRAULIC RIVETING. Boiler Work and Wa-ter Pipe made by this Establishment, Riveted by Hy-draulic Riveting Machinery, that quality of work being

far superior to hand work. SHIP WORK, Ship and Steam Capstans, Steam Winches, Air and Circulating Pumps, made after the most ap-

PUMPS, Direct Acting Pumps, for Irrigation or City Water Works' purposes, built with the celebrated Davy Valve Motion, superior to any other pump. d27 79-1y AGENTS for Worthington Duplex Steam Pump.

#### INDIA RICE MILL!

(ESTABLISHED 1862.)

MISSION & FREMONT STS., SAN FRANCISCO, CAL. THE INDIA RICE MILL. AFTER SIX-TEEN YEARS of practical experience and improve-ment, is now the nearest to perfection of any of the Rice Mills of the world. In thoroughness of Cleansing and Polishing it stands unrivaled; and in yield of Cleaned, Merchantable Rice from the Paddy, produces from 5 to 8 per cent more than THE INDIA RICE MILL is now in Perfect

# HULLING & DRESSING OF PADDY

UNCLEANED RICE, From the Hawaiian Islands, to which it is Specially Adapted

CONSIGNMENTS OF PADDY AND HULLED RICE Will Receive Prompt and Careful Attention.

W. C. BORDEN, **AUCTIONEER & COMMISSION MERCH'NT** DEALER IN

DRY GOODS LADIES' AND GENTS' HOSIERY. **GENTS FURNISHING GOODS!!** 

Ladles, Gents' & Children's Boots & Shoes, GROCERIES AND CANNED GOODS, Hardware, Crockery and Glassware, To-

bacco, Cigars, Pipes, Yankee Notions, PATENT MEDICINES, ETC. 30, 32, AND 34 FRONT STREET.

HILO, HAWAII

The Challenge Standard



### WIND-MILL!

THE ONLY SELF-REGULATING WIND-MILL in the World, and when material used, Power, Workmanship and Durability are considered, it is acknowledged to be the

CHEAPEST WIND-MILL NOW IN USE THE DOUBLE-HEADER WIND-MILL

For power purposes, such as running Custom Grist Milis and Feed Milis.

ALWAYS VICTORIOUS AT FAIRS And Practical Tests. THE ABOVE MILLS, IN VARIOUS SIZES For Irrigation and Pumping Water for Stock Farms or Family Use.

Two of the latter are now here and can be clication to the undersigned.

For further particulars, apply to JAMES S. LEMON, Honolulu, H. t.

EX BKS. D. C. MURRAY & DISCOVER HAY, BREAD, CRACKERS, KEROSENE GIL, GOLDEN GATE PLOUR, LARD,

BACON, COTTON DUCK. SAIL TWINE, OFFICERS, & scrived this day, and for sale low. BOLLES & CO. C. Kavanagh' BUILDER,

Steam Boilers,

Furnaces, ·Ranges Set,

BRICK and STONE WORK Done on reasonable terms. Address 187 Nauanu Avenue, or through the Post Office.

SPECIAL NOTICE. HAVING SECURED THE SERVICES OF the well known UPHOLSTERER & DRAPER, MR. J. MARINBURE, the only first class Upholsterer in the King-dom, (inte of San Francisco), I am prepared to do all kinds of

Upholstering, Ete., in the latest and best style. WORK WARRANTED. CALL AND SEE -OUR-PATENT ROCKERS.

BED LOUNGES. SOFA BEDS, &c. N. B.—Mr. M. has selected a fine lot of Upholstering Goods, Parlor Suits and Lounges, Chairs, &c., of the latest styles, which have just arrived from San Francisco. I have also just received a new lot of

The Latest Styles of Furniture, PIANO AND TABLE COVERS, PICTURE CORD, NAILS, &c. All of which will be for sale cheap. Tr It will pay you to call at NO. 64 Fort street, and examine the goods before purchasing elsewhere. C. E. WILLIAMS.

NEW DRUG STORE. ON NUUANU STREET,

Hollister & Co. RESPECTFULLY INVITE

The Attention of the Public TO THE FACT, THAT THEY Have Opened at Their Old Stand No. 85 Nuuanu Street, a Full Line of

DRUGS, CHEMICALS, DYE STUFFS, - AND -DRUGGISTS' SUNDRIES

- INCLUDING -

THE CELEBRATED CELLULOID.

TRUSSES.

THE LARGEST AND

IN THE CITY.

Is in Charge of MR. J. L. ROYSTON, a Pharmaceutist of Large Experience, Thoroughly Competent and Reliable. 37 Prescriptions Compounded at all hours of the

NIGHT BELL ON THE FRONT DOOR :

THE PASSAGE OF THE SEASON! 118 Days from Glasgow

The Extreme Clipper Iron Ship

Has Just Arrived

Now Being Offered to the Trade

Very Liberal Terms.

THE CARGO CONSISTS AS FOLLOWS Dry Goods IN LARGE VARIETY:

Embracing, Prints, Cottons, Linens, Woolens, Clothing, Blankets, Towels, Mosquito Net, Handker-chiefs, Tweeds, Denims, Longcloths, Victoria Lawns, Pilot Jackets, Crimean Shirts, &c., &c. Galvanized Roofing,

Fence Wire, No. 4, 5, and 6, Galvanized Buckets and Tubs, Bar Iron, a full assortment of sizes. Pots and Covers, Hoop-Iron, Rivets, Nuts and Washers, Babbitt Metel, Cast Steel, Anvils and Viccs, Minting CROCKERY,

A Large Assortment. GLASSWARE, In Beautiful Variety.

Brussels Carpets & Rugs ELECANT PATTERNS.

Paints. White Lead, White Zinc, Red Lead, Black Paint, Mixed Paints, in all colors, Boiled Linseed Oil, Raw Linseed Oil, and Red Composition.

Bagging and Bags, SUGAR BAGS & RICE BAGS, A Large Variety. COAL BAGS, A Splendid Article and Large Size.

Wool Bagging and Sewing Twine LEATHER BELTING. Anchors and Chains!

Of all Sizes and Full Test. Wines and Spirits: McEwan's Ale and Stout, Blood, Wolfe & Co,'s Ale,

Pig Brand Stout, Quarter Casks and Cases Hennessy 4, 2, 2 and 3 Star Brandy, Cases Cheap and Medium Brandies, Cs and Baskets Gin, Old Tom, Irish and Scotch Whiskies, And a few Cases of Very Fine

Sherry, Port, Hock and Cordials. The Celebrated

CACHET BLANC - AND -GREEN SEAL CHAMPAGNES

3 Sets of STOCK and DIES for PLANTATION use, 5 Hydraulic Jacks, 4, 6 and 8 ton lift. 200 Tons Coal. Scotch Splint. Fire Bricks, Portland Cement, Fire Clay, Pig Iron, &c

--- ALSO, FROM ... Mirrlees, Tait & Watson, 6-500-galls. Steam Clarifiers,

1 pair Centrifugal Machines,
1—26x54 Mill and Gearing,
1—26x54 Mill and Gearing,
1—16 in. Cylinder Steam Engine,
2 pair Compound Boilers, 6 ft. diameter and 19 ft. 6 in. long, Country Orders Solicited. For further particulars, apply to

G. W. Macfarlane & Co. PLANTATION SALMON!

TITIES to suit, by CASTLE & COOKE, COTTON DUCK, NOS. FROM 1 TO 10. COTTON SAIL. TWINE, 5, 6, 7 and 8-ply, ex Murray this day. BOLLES & CO.

PROVISIONS. BEEF. PORK, HAMS, BACON, CHEESE, BOLLES 4 CO. MANILA CIGARS. N BOXES OF 500, 200, AND 100 EACH.

BOLLES 4 CO

THE PACIFIC Commercial Adbertiser.

SATURDAY, SEPTEMBER 4. Session Laws of 1880.

AN ACT To fix the compensation of Pilots at the ports of Kahului, Maui, and Hilo, Hawaii. Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled:

SECTION 1. The compensation of the Pilots at the ports of Kahului, Maui, and Hilo, Hawaii, shall be as follows: One Bollar and Fifty Cents per foot on the vessel's draft coming into port, and the same for going out of port. For anchoring any vessel off the said ports of Kahului and Hilo, Ten Dollars; provided that the pilot be not detained on board longer than twenty-four hours, and for all detention on board beyond that time

Five Dive Dollars per day. SEC. 2. This Act shall take effect and become a law from and after the date of its publication, and all laws and parts of laws inconsistent herewith are hereby repealed. Approved this 9th day of August. A. D. 1880. KALAKAUA R.

AN ACT

To provide for the licensing of Keepers of Livery Stables within the District of Hono-

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled: SECTION 1. Every keeper of a livery stable within the district of Honolulu shall pay an annual license of Fifty Dollars. SEC. 2. On payment of the said sum of fifty dollars the Minister of the Interior may issue a license under his hand and the Seal of his Department, to the person or persons named therein to carry on the business of a Livery

Stable Keeper on the premises therein designated, for the term of one year. SEC. 3. Every person who shall keep a livery stable within the district of Honolulu without having previously obtained a license under this Act, shall for every such offense forfeit and pay a sum not less than Fifty nor more than One Hundred Dollars. SEC. 4. This Act shall become a law on the

first day of September next. Approved on the 13th day of Augu3t, A. D. KALAKAUA R.

AN ACT To amend an Act entitled "An Act regulating the Practice of Law in the Police and District Courts," approved on the 5th day of August, A. D. 1878.

Be it Enacted by the King and the Legisla-tive Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled: SECTION 1. That Section 1074B of the Act regulating the Practice of Law, approved on the 5th day of August, A. D. 1878, be and the same is hereby amended so as to read as fol-"SECTION 1074B. The said license shall be

for the term of two years, and shall be valid in all the Judicial Circuits of the Kingdom. The fee for a license shall be five dollars for the first issue, and two dollars for each renewal The Prescription Department thereof. Such license may be in the following

"..... Esquire, having been examined, and found duly qualified and of good moral character, is hereby licensed to practice in the Police and District Courts of all the Judicial Circuits of the Kingdom as an Attorney at Law for the term of two years from date. "By Order of the Court.

"..... Secretary. "Dated ....."
SEC. 2. This Act shall become a law from the date of its approval, and all laws and parts of laws in contravention herewith are hereby

Approved this 13th day of August, A.D. 1880. KALAKAUA R.

AN ACT To further extend the term of the Commisson of Boundaries.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled: SECTION 1. That the term of the continuance of the Commission of Boundaries established by an Act approved on the twenty-third day of August, One Thousand Eight Hundred and Sixty-Two, and extended to the twenty-third day of August, One Thousand Eight Hundred and Seventy-Four, by an Act approved on the twenty-second day of June, One Thousand Eight Hundred and Sixty-Eight, and extended to the twenty-third day August, One Thousand Eight Hundred and Eighty, by an Act ap-proved on the thirteenth day of July, One Thousand Eight Hundred and Seventy-Four, be and the same is hereby extended to the twenty-third day of August, One Thousand Eight Hundred and Eighty-Six, for the pur-pose of deciding and certifying the Boundaries of Ahupuaas and portions of Ahupuaas, Ilis and portions of Ilis and other denominations of lands upon application now pending before the several Commissioners of Boundaries, and upon such application as may hereafter be made under the provisions of Section 9 of the said Act of the twenty-second day of June, One Thousand Eight Hundred and Sixty-Eight.

Act of the twenty-second day of June, One Thousand Eight Hundred and Sixty-Eight.

Approved this 13th day of August, A.D. 1880.

KALAKAUA R.

AN ACT

To impose specific duties upon Rice, Paddy and Raw Sugars imported into this Kingdom.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled:

Section 1. There shall be levied, collected and paid, a duty of two and a half cents per pound upon all Rice imported into this Kingdom, and if the same be in the husk or what is commonly known as paddy, a duty of one and a half cents per pound; and a duty of two and a half cents per pound upon all raw sugars imported into this Kingdom.

Sec. 2. All laws and parts of laws inconsistent with the provisions of this Act are hereby repealed.

Approved on the 14th day of August, A.D. KALAKAUA R.

AN ACT To license the Slaughter and Sale of Pork.

Be it Enacted by the King and the Legisla-tive Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled: SECTION 1. The Minister of the Interior shall at any time license for the term of one Chitter or Complete it or not. Citing year any applicant to slaughter and sell Perk upon receiving for such license the sum of Twenty Pollars, provided however that the Select Cases on Contracts, p. 42; Smith on Contracts provisions of this Act shall not be held to apply to the sale of pork which is "kaluaed" or cooked in the Hawaiian style.

law from the date of its approval. Approved this 9th day of August, A.D. 1880. KALAKAUA R. AN ACT To provide for the Sanitary Condition of Dwelling Houses.

AN ACT

To amend Section 1 of Chapter 45 of the Ses-

WHEREAS, on account of the over-crowding of persons in certain localities, it is expedient to provide for the sanitary condition of dwelling-houses and their surroundings, Be it enacted by the King and the Legislative Assembly of the Hawaiian Islands in the

Legislature of the Kingdom assembled: SECTION 1. Every house or tenement used or occupied as a dwelling for lodgers or contract laborers shall be kept by its owner in good repair, with the roof water-tight, and shall have the capacity of not less than three hundred cubic feet of space for each adult, or nine hundred cubic feet for one man and woman and two children.

SEC. 2. The yard and ground about all dwellings shall be well drained and kept free from rubbish of every description, with a closet or privy, also to be kept in repair by the lodging-house keeper or employer of laborers, for every six adults.

SEC. 3. Every owner or keeper and every other person having the care or management of a lodging-house or of a dwelling for contract laborers, shall at all times when required by the Board of Health or its agents give free access to such house or any part thereof.

SEC. 4. Every lodging-house keeper or employer of laborers who shall fail to comply with the provisions of this Act shall pay a fine

not exceeding Fifty Dollars. SEC. 5. Every person who shall keep his dwelling in so filthy a state as to be a nuisance or injurious to health, or who shall refuse or neglect to remove any nuisance or substance he may have caused or placed in the vicinity of the dwelling he occupies or any other dwelling, or shall commit any nuisance in any stream or thoroughfare, shall on conviction pay a fine not exceeding Three dollars, or be imprisoned at hard labor for a term not exceeding thirty days.

SEC. 6. This Act shall take effect ninety days after its passage. Approved on the 9th day of August, A. D KALAKAUA R.

AN ACT To Indemnify the Minister of Finance. WHEREAS, it appears from the Report of the Minister of Finance that the following expenditures were advised by the Privy and Cabinet Councils, viz: Amounting to the sum of Seventy-Five Thousand Five Hundred and Ninety-Nine Dollars and Seventy-Six Cents.

AND WHEREAS, the Minister of Finance requests to be discharged from further liability on account of said expenditures, There-Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the

Legislature of the Kingdom assembled: SECTION 1. That the Minister of Finance and all others legally responsible are hereby indemnified and discharged from all liability on account of the expenditures detailed in the above preamble, and that the books of the Treasury be adjusted accordingly.

Approved this ninth day of August. A. D.

Supreme Court of the Hawaiian Islands-April Term, 1880.

S. HOFFNUNG & CO., OF SYDNEY V. CHUNG PAA, OF Before Harris, C. J., and McCully, J.

Mr. Justice McCully delivered the opinion of the In an action of assumption, the defendant, inter alia, claims to set-off £138 5s. (being \$691 25) as his commissions on £1,106 2s. for agreeing to endorse or accept bills under the following agreement:—

"Honolulu, May 2, 1877.

"This is to certify that I, Chung Fan, of the city of Honolulu, general storekeeper, do hereby agree to endorse bills to the amount of about eight thousand dollars more or less, drawn by His Majesty King Kalakaua, of the Hawaiian Islands, in favor of S. Hoffnung & Co., Sydney, Anstralia; and, furthermore, do agree to duly endorse the said bills on presentation by Messrs. Messrs. Bishop & Co., of the aforesaid city, in consideration of receiving twelve twelve and a half per cent. for guaranteeing the said amount; and further agree that he will take

all goods sent him by the said firm.
"(Signed) Chung FAA.
"Witness to signature: (Signed)—F. A. Ander-The matter now for the consideration of the Court appears from the following extract from the plaintiffs'

appears from the following extract from the plainting bill of exceptions:—

"On behalf of the plaintiff, F. A. Solomon testified that he is an agent of the plaintiff, and that he was in Honolulu in February, 1878; that at that time the goods ordered by His Majesty had been received, but were not delivered, and the sale not completed;

happened. The sale for which the drafts were to be payment was never completed, the goods were never delivered, the principal never became liable, therefore the surety never incurred liability, and is entitled to no commissions. He could only recover commissions after the sale was completed, and after his own liability attached. It is essential that there should be some one liable as principal. Not necessary that the person to whom the guarantee is given should bind himself to supply the goods. The contract would become mutual after the delivery of the goods, and until then it was incohate, and in the power of the plaintiff to complete it or not. Citing happened. The sale for which the drafts were to be

bly to the sale of pork which is "kaluaed" or cooked in the Hawaiian style.

SEC. 2. Whoever shall slaughter or sell pork whether he should be called on to endorse His SEC. 2. Whoever shall slaughter or sell pork without having first obtained a license therefor as provided in Section 1 of this Act, shall be subject to a fine of not less than Ten nor more Twenty-Five Dollars for each offense, in the discretion of the Court.

SEC. 3. Every license to slaugher and sell pork shall be signed by the Minister of the Interior and impressed with the Seal of his Department, and no such license shall be transferable.

SEC. 4. This Act shall take effect and become a law from and after the date of its publication.

Approved this 13th day of August, A.D. 1880.

KALAKAUA R.

AN ACT

To repeal Sections 118 and 119 of the Civil Code as amended by an Act approved on the Twenty-Second day of June, 1888, entitled "An Act to amend Sections 118, 119 and 120 and to repeal Section 121 of the Civil Code." Be it Enacted by the Kingdom assembled:

Section 1. Sections 118 and 119 of the Civil Code as amended by an Act approved on the Civil Code as amended by an Act approved on the Civil Code as amended by an Act approved on the Civil Code as amended by an Act approved on the Civil Code as amended by an Act approved on the Civil Code as amended by an Act approved on the Civil Code as amended by an Act approved on the Civil Code as amended by an Act approved on the Civil Code as amended by an Act approved on the Civil Code as amended by an Act approved on the Civil Code as amended by an Act approved on the Civil Code as amended by an Act approved on the Civil Code as amended by an Act approved on the Civil Code as amended by an Act approved on the Civil Code as amended by an Act approved on the Civil Code as amended by an Act approved on the Civil Code as amended by an Act approved this 1818 and 190 of the Civil Code."

By the Cours: By the Legislant the Legislant they repeal the Civil Code as amended by an Act approved the Civil Code as amended by an Act approved the Civil Code as amended by an Act approved the Civil Code and the Civil Code as amended by an Act approved the Civil Code as amended by an Ac

goods which had been sent to His Majesty, the sale and payment for which the defendant guaranteed to another party, he must be presumed to have done it because it was more profitable, taking into account the premium which was payable in either case.

There is force in the fact that plaintiffs considered that the defendant's liability from the time the goods sion Laws of A. D. 10.5,
1420 of the Civil Code as amended.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled:

SECTION 1 That the words "with costs" in Section 1 of Chapter 45 of the Session Laws of the Session sion Laws of A. D. 1876, relating to Section time; and if they or their agent considered it to their advantage to sell to another party, they cannot thereby deprive the defendant of his premium for the risk he had taken. The exceptions are overruled.

> Supreme Court of the Hawaiian Islands-April Term, 1880

THE HAIRU SUGAR COMPANY ET AL VS. T. N. BIRCH TAX COLLECTOR-IN BANCO.

Before Harris, C. J., and McCully, J .-- Opinion by McCully, J. Referring for the statement of the matter here in controversy to the opinion delivered by the Chief Justice at the hearing (at nisi prius) which I entirely concur. I observe upon the points presented by the plaintiffs who are the appellants, on the appeal, they state facts to be that the plaintiffs as owners of their respective plantations were taxed on the value of those plantations at last twice as much as theretofore on account of their connection with and right to use the water flowing in a ditch owned by the plaintiffs as partners under the firm name of "The Hamakua Ditch Com-

But the testimony of Mr. Sterling the assessor does not accord with the statement. He says "I and the other land not under cane but fit for sugar culture at \$20 an acre. Had I not assessed the Other at \$20 an acre. Had I not assessed the Ditch separately I would have assessed the uncultivated lands differently. I would have assessed higher, I would have assessed land thoroughly irrigated at \$200 an acre. The same answer will apply to Grove Ranch, Baldwin's, and other adjoining land owners.

I do not find any testimony as against this that the rate of assessment in previous years had been half the rate or any proportion less, but if the rate now stands higher than it did several years ago, it may be charged to the general enhancement in the value of real estate in the Kingdom, to the operation of the Act of 1976. tion of the Act of 1876 requiring assessments to be at the "full cash valuation of" all property, and to the personal judgment of the assessor for the year, neither do we find any testimony to show that other land in the district of like character with that of the plaintiffs, the property of non-shareholders in the ditch and not irrigable from it is rated at lower and different rates.

We must therefore conclude that as a matter of fact the assessor did not combine the value of the ditch with the value of the land of the plaintiffs, and assess the entire value once as an appurtenance and again as separate property. This would be an answer to the position of the plaintiffs that the several interests of the plaintiffs are appurten-

the several interests of the plaintims are appurtenant to their several plantations, and ought to have been taxed together, that they were separated by the assessor and singly taxed each once.

The rights of parties herein are unlike, the rights of riparian proprietors, and equally unlike the rights of irrigation appurtenant to land from ancient watercourses. The argument of counsel to establish that the shares of the plaintiffs were National Debt called in ...... \$ 9,000 00 appurtenant to the lands owned by them was Encouragement of Immigration ... 20,000 00 based on the fact that the water of the ditch at the Support of Prisoners ...... 24,019 11 Leper Establishments...... 22,580 65 partners in the ditch company, and none sold to Amounting to the sum of Saventy Five any partner could not sell his share of water to be used elsewhere than on his own land, that any surveyed acre of these plantations could not be sold without a proportional share of the water, and that it would be so intended without an express conveyance of such a share in the ditch. No essential difference is found in the character of the ditch property in this case from the case of a partnership or a single owner of a ditch consructed for the purpose of offering water for sale at a price per luch to whoever might purchase it. In this case the purchasers of the water are coincident with the partners, and each taking according to his share in the company, and the company sell-ing no water to outside parties, no partner has anything to receive or to pay, except perhaps as-sessments for repairs. Upon examining the deeds of conveyance of certain shares of plantations en-joying the use of this water it is noticeable that there is a distinct sale and assignment of the grantor's share and interest in the Hamakus ditch. In the deed from Hobron to W. O. and H. Smith, such a distinct sale is made, and the grantors are constituted his Attorneys in fact to secure his rights under the consession of the government to the Ditch Company and in the partnership. The plaintiffs have not therefore considered and treated their interest in the water as appurtenant to their land, and to pass by a common conveyance

of land and its appurtenances.

Furthermore, I observe in the original concession by the Hawaiian Government, of the right to take the water of certain streams lying within government lands, that the privilege is reserved of buying the ditch, aqueducts, bridges and pipes at cost, and thereafter furnishing irrigation to the proprietors at a limited rate annually per acre, and this does not compart with the character claimed of a right of water appurtenant to the land. But without such a right of resumption, the grant was for a term of years and would expire by its own limitation, and its essential character has not been changed by a later concession giving a perpetual franchise it a higher rate.

There is a significant fact besides to distinguish

this from an appurtenant right of water, that the Ditch Company own the piece of land called Olopana. It will hardly be claimed that this is appurtenant to any or all of the plaintiffs lands. Washbourne, R. P. Vol. 3, pages 394-5. It follows from the foregoing views that the property of the Hamakua Ditch Company could not be taxed as merged in other property of the partners, and rightly it was taxed as a distinct piece of property. The judgment of the Chief Justice must be affirmed.

Messrs. Hartwell, Austin, and Castle & Hatch for plaintiffs. The Attorney General (Preston) for

FOR RENT. TURNISHED ROOMS, AT NUMBER 2 Fisher's Champagne Cider.

Speaks for Itself. THIS BEVERAGE, SO WELL ENOWN is this community, can always be found ON ICR at Jacob Welk's, No. 61, King street, near the Bethet Church. Call in during the hot weather and cool yourselves.

7y17 ly 3m\*

D. W. CLARK, No. 27 Merchant St., Importer and Dealer in

Magnifying Glasses, Sextants,

Quadrants, or Nautical Instruments,

Repaired and Adjusted,

Wish Accuracy and Disputch. and ATLOW RATES TP Orders from the Other Islands Promptly Attended to nd Goods Forwarded C. O. D.

B.-Chronometers Carefully Cleaned and Rated by Transit Instrument and Other Astronomical Observations under the special control of Mr. SEO. E. JACKSON, Settled Navigating Lieutenant S. N., who will be in constant attendance. IF TERMS, HENCEFORTH,

CASH ON DELIVERY CASTOR OIL, FOR LUBRICATING. IN FIVE GALLON TINS. For Sale by (mar13 '80) BOLLES & CO.

CALIFORNIA RIVER SALMON.

THE GENUINE ARTICLE IN BARRELS BOLLES & CO. DF ALL SHADES, IN LARGE AND SMALL For Sale by MIXED RUBBER PAINTS,

HAY! HAY!! A SMALL LOT OF SUPERIOR QUALITY in SMALL BALES, ex Murray. For sale low by BOLLES & CO. FURNITURE

OF THE

LATEST AND BEST STYLES

CAN BE BOUGHT

NO. 84 FORT ST.

LOWEST PRICES

OF CALL IN

SEE YOURSELF. A

samp, Opening Haning G. Dusylk

# THE BOOM OVER

The Daily Increase in the Price of

GOODS, GENTS' FURNISHING GOOD FANCY GOODS, GENTS' HATS AND CAPS,

## MILLINERY!

Is at length over, and we have taken advantage of the lull in the market and purchas accordingly. The assortment is complete in every respect. We will merely quote but a few prices in each department, showing you the BARGAINS you will obtain by trading with US. unnunnunnun.

 

 10 yds best calico.
 \$1 00

 10 yls fine cotton.
 1 00

 10 yds brown sheeting.
 1 00

 1 full pce mosquito net.
 1 00

 MILLINERY AT HALF PRICE. - IT IS TO YOUR ADV 

Worsted, only 20c per oz. Children's hand knit jackets.....

Lace tidles, from
All colors of worsted fringes, per yd...
Ladles' silk ties.
Good ladies' chemises.

Lot of infants' shoes, per pr...... Ladies' linen collars.... The best ladies' merino vests...... 1 6 Ladies' princess jackets...... 1

1 ladies' fine white skirt with ruffle...\$1 00 6 yds best white pique............ 1 00 Good ostrich feathers........... 05

We will add in conclusion that if you wish to purchase good goods at the lowest possible prices, call upon us, for are positive that the CALIFORNIA ONE PRICE BAZAR of

Mellis & Fishel,
Is the place for you to Trade.

Ship Chandlers COMMISSION MERCHANTS, NO. 40 QUEEN ST., HONOLULU. HAVE ON HAND THE LARGEST AND

MOST COMPLETE ASSORTMENT Ship Chandlery, · Ship & Naval Stores,

Other Goods in our Line!

To be found on the Sandwich Islands. Additions to which We are Constantly Receiving - FROM THE -

United States & Europe, LARGEST RANGE OF PRICES Whale Boats and Boat Stock,
Chains and Anchors, all sizes;
Hemp and Manilla Cordage,
Cotton and Hemp Duck and Twine
Tar, Pitch and Turpentine
Sperm Oil, Lard Oil,
Polar Oil, Seal O
China Ny
Pa WHALING GEAR, ALL KINDS!

Brass and Galvanized Marine Hardware!

Massey's Patent Loge.
Aperiod Baromet Charts, Compasses, Sextants,
North & South Pacific Directories,
Marine, Opera and Spy Glasses, etc. Yellow Metal Sheathing & Nails

Hay, Bran & Oats, Ground Barley, Ground Oats, etc. Agents for Brand's & Pierce's Bomb Guns & Bomb Lauces.

--- A LSO----

Perry Davis' Pain Killer, &c. All of which will be sold at LOWEST RATES BY A. W. PEIRCE 4 CO.

BROOMS.

Hickory Brooms, Wharf Brooms, Eattan Tard Brooms
For Sale by

A. W. PRIRCE & CO., Paints & Varnish.

BLACE VARNISH, BRIGHT VARNISH, Damar Yarnish, Painta, all colors; Copper Paint. For Sale by A. W. PEIRON & CO.

BLOCKS. Common Blocks, Galvanised Iron Blocks, Heavy Purchase Blocks. For Sale by

A. W. PEIRCE & CO.

FOR SALE! California Beef, California Pork

By Late Arrivals. For Sale Low, by A. W. PEIRCE & CO PAINTS AND PAINT OIL White Zine, Hubbuch's Pale Bolled Oil, Boston Spirite Turpentine.

JOHN NOTT. A. W. PEIRCE & CO., NEW GOODS



The Most Complete Assortment,

- TO BE FOUND IN -HAWAII NEI!!! TIN & JAPANNED WARE,

Pumps, a large assortment; Kitchen Sinko, Beer Mata, Slaw Cutters, House Water Closets and Cast Iron Soil or Waste Pipes, Yard Broom, Stencil, Mazking, Dust and Whisk Brushes, Nests Wooden & Galv'd Talis & Buckess, Garden Bakes, Tin Ware, Japanned Ware, a full asostm't Ox Yokes and Bows, Lanes & Clements Pianter's Hoes, Goose Neck Hoes, 6-8 shanks; Picks: Pick & Hoe Handles, Horse and Mule Collars, Trace Chairs, Cane Knives, Whife-trees, Grindstones mounted on frames Ames' Shovels, Spades, assorted; Plantation Bella, Trash, Hay and Manure Forkes.

PLOWS .--- Steel and Iron. Cultivators, Knox's Horse Hoes, Hinge & Rotary Harrows, Fairbank's Matform and Counter Scales, Boring Machines, Iros Axles for Ox Oarts, 2 to 3 inches;
Hubs, Fellows and Spokes, assorted sizes; Stocks and Dissisteam Cocks, assorted; Sash Weights, Portable Forges, Wheel Barrows, Lawn Mowers, Diaston's Files, Cylinder and Thermometer Churns, Kerosene Stoves, Tinned Tacks, 3 to 24 oz.; Chopping Trays, Hunt's and Crosman's Handle Azes and Hatchets, Pick Mattocks, Long Cutter do., Adzes, Broad Hatchets, Grub Hoes, Hide roller, Hay Cutter, Road Scrapers, Fence Wire, oiled and assessed; Galvanized Corrugated Roofing, Galvanized Water Pipe, 5 to 2 im.; Sheet Iron, Sheet Copper, all sizes; Saucepans, Sheet Lead, Sheet Zinc.

SPECIAL .-- Having a force of Workman employed, we are prepared to do work in TIN. COPPER and SHEET IRON. At lowest possible rates. Parties in need of work done in this line, will do well to give us a call. We shall be pleased to-give Estimates on Work and Guarantee it to stand the test of Steam or Konas.

J. NOTT & Ca. A. L. SMITH. 44 FORT STREET. IMPORTER & DEALER IN

All Kinds of Machine Needles

OLE AGENT FOR THE UNIVERSALLY ACKNOWLEDGED

BEEF AND PORK

Meriden Guadruple Plated Ware, Glassware,
King's Combination Speciacies & Eye Glasses,
Brackets, Vanes, Lustral Wire Ware,
Fancy Scape, Picture Frames,
Wostenholm's Pocket Knives,
Scissors, Pistols, Powder, Shot & Ammunition,
Olark's Speci Cotton, Machine Oil, " DOMESTIC" PAPER FASHIONS.

LIGHT RUNNING DOMESTIC

For Sale in Quantities to Suit, And at LOW SATES, by

J. H. BEUNS, Jr.,

Corner of Bethel and King Sts., Honolinia.

Agent for Benite Guerrere. augil 2n

ALAPORNIA CUBE IN 2515 BOXES.

Acce of pawdered sugar.

Al '70 Por Sale by BOLLES & CO

Oregon and California Beef. Also, Extra Prime Pork...
which will be sold at Low Prices, by
BOLLES & CO...

my29 '80 SEWING MACHINE. CHARCOAL CHARCOAL